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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

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|---------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, |) | CR. No. CR S 05-178 EJG |
| |) | |
| Plaintiff, |) | <u>STIPULATION REGARDING</u> |
| |) | <u>SENTENCING CALCULATIONS</u> |
| v. |) | <u>AND SENTENCING DATE;</u> |
| |) | <u>ORDER</u> |
| STEPHEN HOUSE, |) | |
| |) | Hearing Date: Oct. 13, 2006 |
| |) | Time: 10:00 a.m. |
| Defendant. |) | |

STIPULATION

The parties, by and through their respective counsel, stipulate as follows:

1. Defendant withdraws his objections to the Presentence Report, filed August 25, 2006. The evidentiary hearing set for October 13, 2006 can be converted to a hearing regarding judgment and sentencing. The previously scheduled hearing on October 20, 2006 for judgment and sentencing can be vacated.
2. The loss and restitution with respect to National West Manufacturing, Inc. is \$3,040,817. See PSR ¶¶ 36, 38.
3. The loss and restitution with respect to Barbara Hale Trust, in care of Ronald and Becky Johnston, is \$78,000. See PSR ¶¶ 31, 38.

- 1 4. The total loss and restitution with respect to all victims is
2 \$4,417,014.72. See ¶¶ 38.
- 3 5. The loss enhancement under USSG §2B1.1(b)(1) should be 18
4 levels, corresponding to a loss greater than \$2.5 Million.
5 See PSR ¶¶ 39.
- 6 6. The adjusted offense level is 27 and the final offense level is
7 24, with an advisory guideline range of 51 to 63 months. See
8 PSR ¶¶ 52, 56, Justification and Recommendation.

9 DATED: 29 September 2006 /s/ Tice-Raskin for C. Blackmon
10 CLYDE BLACKMON
Attorney for Defendant
(Per telephonic authorization)

11 DATED: 29 September 2006 /s/ Tice-Raskin
12 S. ROBERT TICE-RASKIN
13 Assistant U.S. Attorney

14 **ORDER**

15 A hearing for judgment and sentencing is set for 13 October
16 2006 at 10:00 a.m. in lieu of the scheduled evidentiary hearing.
17 The previously set hearing date for judgment and sentencing on 20
18 October 2006 is vacated.

19 DATED: __ September 29, 2006 /s/ Edward J. Garcia
20 JUDGE EDWARD G. GARCIA
21 United States District Court
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